



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ulrike Reeh et al. Art Unit : 2815
Serial No. : 09/221,789 Examiner : Jerome Jackson, Jr.
Filed : December 28, 1998
Title : LIGHT-RADIATING SEMICONDUCTOR COMPONENT WITH A
LUMINESCENCE CONVERSION ELEMENT

MAIL STOP RCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicants request consideration of the information disclosed below and the references listed on the attached PTO-1449 form. Under 37 C.F.R. § 1.98 (a)(2)(ii), only copies of foreign patent documents and/or non-patent literature are enclosed. Copies of any listed U.S. patents or U.S. patent application publications can be provided upon request.

U.S. Patent No. 6,576,930 (hereinafter "the '930 patent"), which claims priority to the present application, is part of a litigation before the United States International Trade Commission ("ITC"), specifically:

In the Matter of: CERTAIN LIGHT-EMITTING DIODES AND PRODUCTS
CONTAINING SAME – Investigation No. 337-TA-512

With regard to the ITC litigation, we submit a copy of the public version of the "Initial Determination on Violation of Section 337 and Recommended Determination on Remedy and Bond" (Reference CO), a copy of the "Notice of Commission Final Determination of No Violation of Section 337 as to One Patent and Determination to Remand the Investigation as

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

9-8-05

Date of Deposit

Signature

Typed or Printed Name of Person Signing Certificate

Cheryl A. Con

Cheryl A. Con

Certain Other Patents" (Reference CN), and a copy of the public version of the "Commission Opinion" (Reference CP).

During the ITC litigation, it was alleged, unsuccessfully, that: 1) the '930 patent is indefinite because it does not disclose any criteria or methodology for measuring the path length of the light within the luminescence conversion layer other than requiring a luminescence conversion layer of constant thickness; and 2) The '930 patent is not enabled as required by Section 112 if the claim term "substantially equal path length" is construed as emitting homogeneous white light, because the '930 patent does not define homogeneous white light, how factors are manipulated to effect production of homogeneous light, or how to make a LED emit homogeneous white light.

The Court disagreed. Its analysis of the allegation of invalidity of the '930 patent is addressed at page 70 of the ITC's Initial Determination. Additional documents further describing the invalidity allegation exist, however, they are filed with the ITC under seal.

Also disclosed as part of this Information Disclosure Statement (IDS) are references cited in communications from foreign patent offices regarding foreign counter-part applications. Copies of the communications from the foreign patent offices are also disclosed, specifically, a Notice of Opposition from the European Patent Office (reference CL), a translation of a Japanese Office Action (reference CK), and six European Search Reports (reference CM). Some of the references cited in these foreign communications are already of record.

Finally, we note that there are a number of applications related to the present application. Specifically, the following applications claim priority to the present application: U.S. patent application serial number 09/731,220, now issued as U.S. Patent No. 6,812,500; U.S. patent application serial number 09/731,452, now issued as U.S. Patent No. 6,576,930 (i.e., the '930 patent); U.S. patent application serial number 09/828,727, now abandoned following a decision by the Board of Patent Appeals and Interferences; U.S. patent application serial number 10/979,778, now published as U.S. Patent Publication No. 2005-0127385; U.S. patent application serial number 11/080,786, now published as U.S. Patent Publication No. 2005-0161694; and U.S. patent application serial number 11/150,916.


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Attorney's Docket No.: 12406-003001 / 1996P1650 US
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This filing is being made with the filing of a Request for Continued Examination. No fee is required.

Respectfully submitted,

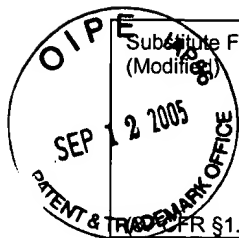
Date: 9/8/05



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 Substitute Form PTO-1449
 (Modified)

 U.S. Department of Commerce
 Patent and Trademark Office

 Attorney's Docket No.
 12406-003001

 Application No.
 09/221,789

**Information Disclosure Statement
 by Applicant**

(Use several sheets if necessary)

 Applicant
 Ulrike Reeh et al.

 Filing Date
 December 28, 1998

 Group Art Unit
 2815

U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	AA	3,453,604	07/1969	Geusic et al.			
	AB	3,573,568	04/1971	Siegel			
	AC	3,654,463	04/1972	Geusic			
	AD	3,742,833	07/03/1973	Sewell et al.			
	AE	3,976,877	08/1976	Thillays			
	AF	4,203,792	05/1980	Thompson			
	AG	4,262,206	04/1981	Viehmann			
	AH	4,307,297	12/1981	Groff et al.			
	AI	4,599,537	07/08/1986	Yamashita			
	AJ	4,843,280	06/1989	Lumbard et al.			
	AK	4,851,695	07/1989	Stein			
	AL	4,875,750	10/1989	Spaeth et al.			
	AM	4,935,856	06/1990	Dragoon			
	AN	5,035,483	07/30/1991	Waitl et al.			
	AO	5,294,897	03/15/1994	Notani et al.			
	AP	5,479,050	12/26/1995	Pritchard et al.			
	AQ	5,543,657	08/06/1996	Diffenderfer et al.			
	AR	5,685,071	11/1997	Gates, Jr. et al.			
	AS	5,707,549	01/1998	Matsukiyo et al.			
	AT	5,863,810	01/1999	Kaldenberg			
	AU	6,180,029	01/2001	Hampden-Smith et al.			
	AV	6,576,930	06/10/2003	Reeh et al.			
	AW	6,812,500	11/02/2004	Reeh et al.			
	AX	RE 34,254	05/18/1993	Dragoon			
	AY	2001/0030326	10/18/2001	Reeh et al.			
	AZ	2005/0127385	06/16/2005	Reeh et al.			
	AAA	2005/0161694	07/28/2005	Reeh et al.			

Examiner Signature

Date Considered

EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 12406-003001	Application No. 09/221,789
Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR §1.98(b))		Applicant Ulrike Reeh et al.	
		Filing Date December 28, 1998	Group Art Unit 2815

U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	BA						
	BB						

Foreign Patent Documents or Published Foreign Patent Applications

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	BC	1 007 825	10/31/1995	Belgium	E01F	G02B	Abstract Only	
	BD	0039017B1	08/28/1985	EPO			Abstract only	
	BE	0 387 715	09/19/1990	EPO	H05B	33/14		
	BF	0936682	08/18/1999	EPO			Abstract Only	
	BG	1915290	10/02/1969	Germany			Abstract Only	
	BH	DE 7128442	12/30/1971	Germany			X	
	BI	1332462	10/03/1973	Great Britain				
	BJ	2149416	06/12/1985	Great Britain			Abstract Only	
	BK	01175103	07/11/1989	Japan			Abstract Only	
	BL	01260707	10/18/1989	Japan			Abstract Only	
	BM	04 063162	05/29/1992	Japan	H01L	33/00	Abstract Only	
	BN	06 104491	04/15/1994	Japan	H01L	33/00	Abstract Only	
	BO	8-7614	01/12/1996	Japan			X	
	BP	09 027642	01/28/1997	Japan	H01L	33/00	X	
	BQ	10 012925	01/16/1998	Japan	H01L	33/00	Abstract Only	
	BR	10-242513	09/11/1998	Japan			Abstract Only	
	BS	49-122292	11/22/1974	Japan			X	
	BT	51145288	12/14/1976	Japan			Abstract Only	
	BU	5-335624	12/17/1993	Japan			Abstract Only	

Examiner Signature	Date Considered
EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

Substitute Form PTO-1449 (Modified) Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR §1.98(b))	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 12406-003001	Application No. 09/221,789
		Applicant Ulrike Reeh et al.	
		Filing Date December 28, 1998	Group Art Unit 2815

Foreign Patent Documents or Published Foreign Patent Applications								
Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	CA	52-9334	02/26/1977	Japan	H01L	33/00	X	
	CB	53001180	01/07/1978	Japan			Abstract Only	
	CC	53-100787	09/02/1978	Japan	H01L	33/00	Abstract Only	
	CD	54-066093	05/28/1979	Japan	H01L	33/00	Abstract Only	
	CE	58-043584	03/14/1983	Japan	H01L	33/00	Abstract Only	
	CF	61-240680	10/25/1986	Japan			Abstract Only	
	CG	61-248839	11/06/1986	Japan			Abstract Only	
	CH	96/23030	08/01/1996	WIPO				
	CI	97/48138	12/18/1997	WIPO				

Other Documents (include Author, Title, Date, and Place of Publication)		
Examiner Initial	Desig. ID	Document
	CJ	Möllmer et al., "Siemens SMT TOP-LED for Surface Mounting", <u>Siemens Components</u> , Bd. 26, No. 6, pp. 193-196 (1991)
	CK	Translation of Japanese Office Action Dated June 2, 2005
	CL	Notice of European Opposition Dated February 28, 2005
	CM	Six European Search Reports dated May 25, 2005
	CN	<i>In the Matter of Certain Light-Emitting Diodes and Products Containing Same</i> , Investigation No. 337-TA-512, "Notice of Commission Final Determination of No Violation of Section 337 as to One Patent and Determination to Remand the Investigation as Certain Other Patents," Dated August 10, 2005
	CO	<i>In the Matter of Certain Light-Emitting Diodes and Products Containing Same</i> , Investigation No. 337-TA-512, "Initial Determination on Violation of Section 337 and Recommended Determination on Remedy and Bond," (Public Version), Dated May 10, 2005
	CP	<i>In the Matter of Certain Light-Emitting Diodes and Products Containing Same</i> , Investigation No. 337-TA-512, "Commission Opinion," (Public Version), Dated August 29, 2005
	CQ	
	CR	

Examiner Signature	Date Considered
EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	